

DETAILED ACTION

1. This Office Action is the answer to the communication received on 2/04/2008, which paper has been placed of record in the file.
2. Claims 1-19 are pending in this application (claim 20 WAS canceled).

Drawings

3. The submitted drawings are acceptable for examining purposes.

Claim Rejections - 35 USC § 112

4. Claims 1 and 8 are rejected to because of a gap in independent claim 1: “A computer-implemented route search method” must be used in the preamble as using computer(s) to practice claimed invention (i.e., see the drawings, figures 1-8 show that computer(s) are used via computer bus) – currently, without a computer/processor means, the applicants can not performed the claimed steps. Appropriate correction is required.

Claim Objections

5. Dependent claims 2-7, and 9-19 are objected for depending on above rejected based claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under

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37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada et al. (US Pat. 7,161,502) in view of the Official Notice.

The Official Notice is taken here that besides fundamental/well-known steps to perform a route search in navigations (i.e., inputting a starting point, a destination point, desired/preferred routes) as claimed in independent claims 1, and 8; Yamada et al., col. 6, lines 1-8, and col. 12 lines 49-57 clearly suggest a step of using environmental/weather conditions, and jam/congestion/heavy traffic conditions to determine a particular route search (this additional step is amended in 2/04/2008).

In claim 8, environmental condition is not claimed; however, a well-known step of storing statistical data is comprised – this step was suggested by Yamada et al., col. 13, lines 20-28.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to implement available knowledge in using a computer to search for a route with the teachings of Yamada et al. to add additional conditions (such as weather, outside temperature, traffic speeds/duration of time that need to arrive at a destination), and storing those data for use to determine a best route search that is well-known for a trip.

Conclusion

7. Pending claims are not patentable.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-272-

6759. The examiner can normally be reached on 9:30 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for the organization where this application is assigned is 571-273-6759.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Please provide support, with page and line numbers, for any amended or new claim in an effort to help advance prosecution; otherwise any new claim language that is introduced in an amended or new claim may be considered as new matter, especially if the Application is a Jumbo Application.

/CUONG H. NGUYEN/
Primary Examiner
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